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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,977	03/10/2004	Robert Walsh	23368-08538	6267
758	7590	09/19/2006		
FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041			EXAMINER LEWIS, CHERYL RENE A	
			ART UNIT	PAPER NUMBER
			2167	

DATE MAILED: 09/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/797,977	WALSH ET AL.	
	Examiner	Art Unit	
	Cheryl Lewis	2167	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 March 2004.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/2/04</u> .   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Claims 1-31 are presented for examination.

### **INFORMATION DISCLOSURE STATEMENT**

2. The information disclosure statements filed on December 2, 2004 and December 12, 2004, complies with the provisions of MPEP § 609. They have been placed in the application file, and the information referred to therein has been considered as to the merits.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Van De Vanter (Pat. No. 5,805,889 filed October 20, 1995).
5. Regarding Claims 1 and 16, Van De Vanter teaches a system and method for integrating editing and versioning in data repositories.

The method and associated system for integrating editing and versioning in data repositories as taught or suggested by Van De Vanter includes:

storing a plurality of system components under revision control in a master repository (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36), according to internal names (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36); storing under revision control in the master repository a binding between the internal name of each of the plurality of system components and its corresponding external name (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36), storing under revision control in the master repository, attributes concerning system components (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36); a journal of operations performed on system components (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36); responsive to a user performing an operation on at least one system component according to its external name (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36), updating the journal (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36), updating the revision control system to include a new version of its contents reflecting a change-set of operations consisting of all operations performed by the user on system components since a previous indication from the user (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36).

6. Regarding Claims 2 and 17, Van De Vanter teaches reading the journal to determine which operations have been performed by the user on system components since the previous indication from the user (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36); determining the internal names of

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affected system components (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36); updating affected system components in the revision control system according to the user performed operations (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36); and associating a new version number with a resulting state of the revision control system (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36).

7. Regarding Claims 3 and 18, Van De Vanter teaches updating the stored bindings to reflect at least one change to at least one external name of at least one affected system component made by at least one user operation (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36).

8. Regarding Claims 4 and 19, Van De Vanter teaches updating stored attributes to reflect at least one change to at least one attribute concerning at least one affected system component made by at least one user operation (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36).

9. Regarding Claims 5 and 20, Van De Vanter teaches modifying the affected system components in the master repository to reflect the performed user operations (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36).

10. Regarding Claims 6 and 21, Van De Vanter teaches storing at least one system component from a file (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36).

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11. Regarding Claims 7 and 22, Van De Vanter teaches storing at least one attribute concerning at least one system component from a type (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36).

8.Regarding Claims 8 and 23, the limitations of these claims have been noted in the rejections presented above. They are therefore rejected as set forth above.

12. Regarding Claims 9 and 24, Van De Vanter teaches at least one user working area each user working area comprising a working copy of the master repository in which a user can perform operations on system components (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36); and providing users access to system components in user working areas according to their external names (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36).

13. Regarding Claims 10 and 25, Van De Vanter teaches storing a binding between a constant number used to refer to the system component in the revision control system and a variable character string used to refer the system component at least by a user (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36).

14. Regarding Claims 11 and 26, Van De Vanter teaches synchronizing the user working area from which the user made the indication with the master repository (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36).

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13. Regarding Claims 12 and 27, Van De Vanter teaches at least one system component of adding at least one system component to the master repository (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36).

14. Regarding Claims 13 and 28, Van De Vanter teaches at least one of information concerning at least one system component (col. 5, lines 53-67, col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-36).

15. Regarding Claims 14, 15, and 29-31, the limitations of these claims have been noted in the rejections presented above. They are therefore rejected as set forth above.

#### **NAME OF CONTACT**

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-4113. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Cheryl Lewis". The signature is stylized with a large initial "C" and a long, sweeping underline.

Cheryl Lewis  
Patent Examiner  
September 18, 2006